A SHORT

LETTER

TO THE

LETTER-WRITER

CONCERNING THE

DUTIES

ON

Wines and Tobacco.

(13)

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POLICE

CONCERNING THE

TELLER-MARKET

OF THE

TELLER

A SHORT

LETTER

TO THE

LETTER-WRITER, &c.

SIR,

I CONFESS I was one of the Number of the Diſſatisfy'd, at the Propoſal for putting the Duties of Wine and Tobacco under the Management of the Exciſe: But as I ever abominated ſome People's Methods of condemning Things by the Lump, or arraigning Propoſals on Suppoſitions only, I ſat down to read your Letter without Prejudice, and muſt ingenuouſly acknowledge, my Pains went not without Recompence of ſome little Pleaſure. I cannot think that Reaſon was given to diſtinguiſh Man any otherways than by the Uſe of it; and as little can I bring myſelf to believe, that thoſe Men make the Uſe of it intended, who immolate it to Clamour, or ſacrifice its Efficacy to Appearances. Honey may be extracted from the rankeſt Flowers; and Thought and Good Senſe collect ſomewhat uſeful out of the weakeſt, but well-meaning Propoſals. If then there is ſuch a Good to the Publick, as a Saving of four or five hundred thouſand Pounds *per Ann.* and that from the iniquitous Part of Trade to the Encouragement of the fair Trader; Why ſhould Fear and Apprehenſion hoodwink my Reaſon; or Clamour and Prejudice ſtifle the Influence of my diſtinguiſhing Faculties? In my poor Opinion, it would carry more of the Face of a good Subject, or true Patriot, if

you

you pleaſe, to weigh Matters ſedately in order to ſelect the Wheat from the Chaff; and if my Reaſon tells me Amendments are neceſſary, to ſift out ſuch Amendments as may tend to accompliſh the good Ends, and diſtinguiſh how far the Benefits are real, or how far pretended. It is in this Light I now ſet Pen to Paper; and, as I am now convinc'd a real Good may be produc'd, I take the Freedom to offer my Thoughts (haſty as they may perhaps appear) towards the Accompliſhment of that good End.

As to the pretended Apprehenſions of a General Exciſe to enſue, from this Propoſal of putting the Collection of the Duties on Wine and Tobacco under the Management of the Exciſe, every conſidering Perſon muſt look upon it as Artifice only. Will not a Houſe of Commons have the ſame Power they ever had to obviate ſuch an Effort, whenever offer'd? and to keep the Neceſſaries of Life (under Providence I mean) in their preſent Situation? The Matter in Queſtion is quite of another Nature; can have no ſuch Tendency; nor will it, in my humble Opinion, require any Extenſion, as apprehended, of the Exciſe Laws in being. On the contrary, may not this Occaſion furniſh you with an agreeable Opportunity of modelling thoſe Exciſe Laws, old as well as new, ſo as to relieve the Subject of many of their preſent Preſſures? This is the View I would take it in; and if my Sentiments do not deceive me, the Scheme, whatever it be, may afford you Room in your Debates to make an Effort towards attaining this happy Effect; and thereby render it a real Good to the Nation, in more than its preſent propos'd Conſequences.

I will wave, therefore, all you further ſay on your three firſt Propoſitions in Page 6; and, as it relates more nearly to the Matter in Queſtion, proceed to examine the three Objections you mention in Page 20; and endeavour to demonſtrate, that they may be all invalidated with a general Eaſe and Good to the Publick, over and above the four or five hundred thouſand Pounds *per Ann.* propos'd in the Scheme.

But before I proceed to the Objections, it will be neceſſary to premiſe ſomewhat that may be found uſeful towards the better anſwering them. And that is, to conſider the Original of Exciſes in *England.* And, if I miſtake not, on the Reſtauration,

Reſtauration, the Bill of Rights taking away from the Crown, as great Nuſances to the Subject, the Star-Chamber, and Court of Wards, it was found neceſſary that ſomewhat ſhould be ſettled in Lieu thereof, towards the Support of the Royal Family. The Cuſtoms were a Part of that Settlement: But not being deem'd ſufficient to anſwer the Royal Expence, a Duty on Liquors was added. However, to render it more effectual, it had the new Name of an Exciſe; and Commiſſioners were to be appointed for the more certain and ſpeedy Collection of it. To make it more palatable to the Court, thoſe Commiſſioners were inveſted with Powers more extenſive than any before known in *England*. There were Appeals allow'd, its true: But, to whom? To a Committee of the Commiſſioners chooſing. That is, they were to be Judges and Jury upon the People. Permit me, Sir, to borrow your *Hinc illæ Lacrymæ*, Page 19. and I will then go on to conſider your three Objections, and offer upon every one of them, ſomewhat that may ſerve to enervate the Force of all, and furniſh, I hope, no deſpicable Expletive towards the attaining the Good you propoſe to the Publick, in the Savings of five hundred thouſand Pounds *per Annum*.

Againſt which, and to prove that the Remedy will be worſe than the Diſeaſe, you ſay it is objected by the Opponents,

1. *That it will be prejudicial to Trade, and burthenſome to the Merchant.*

2. *That it will be injurious to the* Engliſh *Liberty.*

3. *That it will greatly encreaſe the Number of Officers.*

As to the firſt, I muſt heartily agree with you in the fair State of beneficial Trade, nay, and I muſt no leſs agree that under this View of it, your Propoſal may be advantageous to the fair Trader; but, with Submiſſion, this is not the Prejudice, nor the Burthen intended by the Objectors. If I am not miſtaken, what they intend, immediately, is this, That it will render them liable to the Information of either malicious or avaricious Wretches; who, either out of Spleen or Lucre, will have it in their Power to vex and ply the Merchant with perpetual Informations, ill grounded and falſe, and therefore vexatious. To remedy which, I would humbly propoſe, That every Information ſhould be upon Oath, and the Falſity of that Oath puniſhable as in Caſes of Perjury on

Record. But if the Officer is ſo hardy to carry Matters on to a Tryal, and is caſt, I think no Man will deny that he ought to be ſadled with Coſts. I am ſenſible that as the Laws now ſtand, the Defendant can have no Coſts in a Suit for the Crown; but I ſhall offer good Reaſons for an Alteration, when I have taken Notice of the other Objections. In the mean Time proceed to the ſecond Objection.

2. *That it will be injurious to* Engliſh *Liberty.*

To which you anſwer. No more than are the Cuſtom-Houſe Officers, who have Power to examine, ſearch and rummidge every Locker, Hole, and Corner of the Ship; and the Exciſe Officer will have the ſame, and no more Power over the Place, ſet apart by the Merchant for Merchandize ſo Exciſeable. But, a Bundle of Exciſe Informations very lately put into my Hands, and upon Occaſion ſtill to be come at, inform me that there is a vaſt Difference in the Way of Proceedings of one and the other. I have there read many Inſtances of Informations brought by Exciſe Officers, againſt Goods no way liable to Exciſe, that have been condemn'd and ſold by two Corporative Juſtices, or, if you pleaſe, Juſtices by Charter, neither of which could write or read; and when the injur'd Party made his Complaint, he was anſwer'd, he might have his Remedy at Law: And there indeed, it may be confeſs'd, the Remedy was worſe than the Diſeaſe. To remedy which, how eaſy were it to procure a Clauſe in the Act, in queſtion, on any like Occaſion, for an Appeal to a Bench of Juſtices, and, if the Perſon aggriev'd thought fit to ask it, the Juſtices to allow him a Jury; or if in *London*, from the Commiſſioners to the Court of Exchequer, on the like Option of the Defendant: For, notwithſtanding all you ſay, Sir, in Page 31. in relation to the Recovery of ſmall Tithes by Way of the Exchequer, it will hardly be perſuaſive enough to any unhappy Man, that may find Occaſion of Appeal, to make him acquieſce under the original Determination.

3. *That it will greatly encreaſe the Number of Officers.* Which I ſuppoſe, (tho' you ſay it not) they apprehend may endanger the Conſtitution.

And yet, if I am rightly inform'd, there was an Act paſs'd, I think my Informant ſaid, in the Reign of King *George* I. againſt all Officers, either Exciſe, Cuſtoms, or Salt, intermed-

ling

ling or concerning themſelves in Elections. If there is no ſuch Law, how equitable were it to make ſuch? And what an Opportunity is now put into the Hands of the Legiſlature to enforce it, by a perpetual Diſqualification upon Proof and Conviction? In ſuch a Caſe, tho' the hundred and fifty (which you allow) ſhould ariſe to more than five hundred, it can be attended with no dangerous Conſequence or Damage to the Conſtitution, whatever it may be to the Exchequer. Tho', as the Caſe now ſtands, without any ſuch prudent Proviſion, I dare not, in Deference to my Country, or my own Reaſon, agree with you that the Addition is a Trifle, or that even five hundred thouſand Pounds *per Ann.* will be even a *Scotch* Equivalent for the Danger of our Liberties.

Having thus, in my humble Opinion, offer'd what, if granted, will be ſufficient to take off the dangerous Edge of their Objections, I muſt obviate one Objection that I am ſenſible all I have ſaid may be, from ſome Quarter or other, liable to, *viz.* That breaking in upon the Original Exciſe Laws, in this Manner, may be conſtrued by ſome as a Weakning of the Security, or a Leſſening, or Endangering the Leſſening of the Income of the Crown Revenue. To which I crave Leave to reply, That I am far from any ſuch Intention; and to evince as much, would humbly ſuppoſe the Revenue of the Crown to be affix'd at a Sum as high as it ever yet amounted to. This Sum, ſo affix'd and ſettled, might be enacted to be paid for that Purpoſe, previous to all or any other. Would not the five hundred thouſand Pounds *per Annum*, now the Subject of Debate, encreaſe the Security of the Crown? Might not the Over-plus every Year be accounted for in the Exchequer to the Publick Uſe? And in this Caſe, would not the Parliament be at full Liberty, without any Objection, to make what Alteration they pleaſe in the Laws of Exciſe, without the leaſt juſt Cauſe of Complaint from the Crown? And yet with a full Acknowledgment of Thanks and Praiſe, from all their Electors to their Repreſentatives for their noble Care of them? This, Sir, would be a Work worthy of every Patriot to eſpouſe; this would diſtinguiſh the real from the pretended Patriot. For if he that eaſes his Fellow Subjects under a Burthen, deſerves Thanks,

ſure

ſure he that takes it wholly off, and turns Things of a dangerous Tendency into the Channel of priſtin Liberty, will deſerve Trophies and Triumphs, greater than ever were allow'd to a *Roman* Conqueror: I ſay greater; for he that brings Foreign Nations to be Tributaries, will never, in my Opinion, deſerve like Praiſe with one that ſets free his own.

I am,

S I R,

Your moſt humble Servant.